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International Court of Justice

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Notice.

Not to be publicized until presented before the tribunal in open court and then only that portion actually submitted as evidence.

A ne pas publier avant présentation devant le tribunal en session publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jener Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

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Ri No. 9

Nurnberg.
5 March 1946

For submission to the International Military Tribunal I am making the following

A f f i d a v i t .

Upon appointing me Reichminister for Foreign Affairs on 4 April 1938, Adolf Hitler did not lay down for me general principles with regard to conducting German foreign policy. Upon my taking office the Fuehrer spoke only of Germany's having obtained a much stronger position by the Reich's having grown stronger; one could not pursue a policy without a strong army; otherwise, foreign policy would operate in a vacuum, as it were. It was of great importanc to him to reach a clear relationship with all neighbors. In this connection he designated as only problems for which a solution would have to be found the Austrian question, the Sudeten question, the Memel question as well as the question of the Danzig - Corridor. He made it my task to help him solve these questions by diplomatic means. He did not give me any explanations in that connection. Therefore, I endeavored to solve by diplomatic means the problems designated by Hitler within the frame work of detailed instructions which were still to be given and to

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build up a permanent peace in cooperation with the other powers.

In this connection I would like to express myself also on the subject of German foreign policy itself. German foreign policy in all its details was determined by Hitler personally. In forming his opinion he used a great many agencies, channels and confidants on whom I did not exercise influence and of whom I did not have knowledge. All these reports on foreign political went to the Fuehrer. Thus, he alone had the overall picture, therefore, he alone could make important decisions in the field of foreign policy. The Foreign Office and I had the task to carry out the measures in the foreign-political field ordered by Hitler. Thus, the Foreign Office had the role of an executive office for such questions and measures which used to be taken care of only by traditional diplomatic means.

My personal activity as regards informing Hitler consisted in the first place of regular reports on foreign-political events and on my current conferences with foreign representatives. In important cases and at times of crises Hitler conducted the negotiations himself. Furthermore, during conversations Hitler raised certain questions of foreign policy in which he was interested and asked me

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for my opinion, For the rest, Hitler gave me detailed foreign-political tasks as the occasion arose. To cite an instance, he charged me with conceying, during my conversations with foreign ambassadors certain statements previonsly made by him. The Fuehrer determined also notes to foreign powers.

The Fuehrer intentionally kept me form attending military conferences and repor When in the beginning I expressed the wish to be informed onthose matters and also on internal-political events, he emphasized that under his regime everyone must be limited to his department and need not know, in fact, must not know what concerns other departments and persons. This isolation went so far that after the outbreak of the war I was once informed by the Fuehrer to the effect that the foreign policy will become active again only after the end of the war. After the outbreak of the war with Russia I and my office were expressly prohibited from any influence and treatment of questions concerning the Eastern region. The administration of most of the other occupied European territories also did not come under the the jurisdiction of the Foreign Office.

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I was not a member of any political staff at the Fuehrer's headquarters.

(signed) Joachim von Ribbentrop

Affidavit and signature of the defendant von Ribbentrop

certified (signature illigible)

Attorney-at-Law

Ri. Exh. Nr. 10

Copy.

Documents on German Politics, Vol. VIII 1 p. 212.

Nr. 34

The Fuehrer's address to the German Reichstag in the Krolloper in Berlin of 19 July 1940.

S. 234.

I cannot conclude this appreciation without finally thanking the man who, for years, has realized my foreign-political aims by his faithful untiring and self-consuming labor. The name of party member von Ribbentrop as Reich Foreign Minister will be associated for all times with the rise of the German nation.

Copy certified by:

(signed) M. Horn

(Dr. Horn, Defense Counsel).

We, Annemarie C. Catling and Theodore Lit hereby certify that we are thoroughly conversant with the German and English languages and that above is a true and correct translation of document Band I 1/2 59.

ANNEMARIE C. CATLIN
X 046172

THEODORE LIT
X 046185

March 7, 1946

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from Documente der deutschen Politik Volume I

Ri.Exhibit No. 14

3. Proclamation of the Reich Government to the German people on 1 February 1933.

The misery of our people in simply terrible ! The unemployment of millions of the industrial proletariat is followed by the pauperization of the entire middle and skilled working class. If this development is finally completed among the German farmers, we shall be faced with a catastrophe of incalculable degree. Then not only a Reich would disintegrate, but also a two thousand years-old inheritance in the high and highest possessions of human culture and civilization.

The threatening phenomena all around us bear witness to the fulfillment of this decline. In an unheard of onslaught of willpower and violence, the Communist method of madness is finally trying to poison and break up one nation, already shaken to its innermost core and torn from its roots in order to head it for a time which in relation to the promises of the Communist spokesmen of to-day would be even worse than the time behind us in relation to the promises of the same apostles in November 1918.

Starting with the family and going ever and beyond the conceptions of honer, loyalty, people and fatherland, culture and economy into the eternal foundation of our morals and our faith, nothing will be spared from this purely negative and all-destroying idea. Fourteen years of Marxism have ruined Germany. One year of Bolshevism would destroy Germany. What are today the world's richest and most beautiful regions of culture would be transformed into chaos and a field of ruins. Even the misery of the last decade and a half could not be compared with the wretchedness of a Europe, in whose hearts the red banner of destruction would be heisted.

The thousand of wounded, the uncounted dead, which this internal war is already costing Germany today, should be a lightning flash of warning before the storm.

During these hours when concern for the existence and future of the German Nation is overwhelmingly coming to the fore, the aged leader of the World War called upon us, the men of the national parties and organizations once more as before at

the front, to fight under him now in the homeland in unity and loyalty for the salvation of the Reich. While the honored President of the Reich tied our hands in a common bond in this generous spirit, we, the national leaders, want to pledge to God, our conscience and our people to fulfill as a national government the mission thus entrusted to us with determination and decision.

III.

With respect to foreign policy the national government will see its highest mission in the preservation of the rights of nations and thereby in the restoration of freedom for our people. Having decided to put an end to the chaotic conditions in Germany, it will cooperate in bringing into the community of the other nations a state of equal value and at the same time, however, also equal rights. It is thereby imbued with the magnitude of the obligation to work with this free and equal people for the maintenance and the safeguardin of the peace, which the world needs more today than ever before. May the understanding of all the others help this our most sincere desire for the welfare of Europe, nay of the world, to be fulfilled.

As great as our love for our Army, as the bearer of our arms and the symbol of our great past, we would, however, be only too happy, if the world, through a reduction in its armaments, should never again require us to increase our own weapons.

Certified true Copy:

s/Dr. MARTIN HORN
Attorney at Law

H0785 - 0009

Ri-Exhibit No. 15

from Dokumente der deutschen Politik, Volume I

18. Adolf Hitler's Address on the Occasion of the Inauguration on 21 March 1933 in Potsdam.

For two thousand years our people has been accompanied by this change - able destiny. Always a rise is followed by decline. The reasons were always the same. The German, disintegrated within himself, disunited in spirit, wastes his will and thereby powerless in action, he becomes impotent in the affirmation of his own life. He dreams of right in the stars and loses the ground on earth. But as people and Reich break more and more apart and with it the defence and protection of the national life become weaker, the more one has tried at all times to make a virtue out of a necessity. The therry of the individual value of our tribes suppresses the realization of the necessity for a common will. Finally there still remained only one way open to the German, the way to his innermost self. As the people of singers, poets and philosophers it dreamed of a world in which other lived. And only when misery and sorrow beat it inhumanly did there grew a longing for a new rise, perhaps from art, for a new Reich and so for a new life.

When Bismark followed up the cultural strivings of the German nation with the state-political union, it seemed that the long perion of war and struggle between the German tribes had been ended forever.

Within this period of the unification of the German tribes and therewith their national unification through power politics, came the beginning of that ideological disintegration of the community of the German people, from which we still suffer to this day. And this internal disintegration of the nation became once again, as often before, the ally of the surrounding world. The November Revolution of 1918 ended a struggle into which the German nation had been drawn in the sacred conviction of protecting its liberty and thereby its right to live. [illegible] neither the Emperor, nor the government, nor the people wanted this war. Only the deterioration of the nation, the general collapse, forced a weak race to accept the insistence of our war guilt against our own better knowledge and most sacred inner conviction.

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This collapse, however, was followed by deterioration in all fields. In power politics, morality, culture. and economidally your people sank lower and lower. The worst was the conscious destruction of faith in its own strength, the degradation of our traditions and thereby the destruction of the foundation of a strong confidence! Crises without end have torn our people ever since.

While the German people and the German Reich thus sank into internal political schisms and quarrels and the economy was heading for misery, the new rallying of the Germans began, who with faithful confidence in their own nation want to form it into a new community.

As the national government for the first time appears before the new Reichstag in this solemn hour, it affirms at the same time its unflinching determination: to begin and resolutely carry through the great work of reforming and reorganizing the German people and the Reich.

We want to reconstruct the unity of will and spirit of the German nation!

We want to safeguard the eternal foundations of our life: our national (Volkstum)
characteristics/and the forces and values given it.

We want to subordinate the organization and the leadership of our state once more to those principles. which were at all times the first condition for the greatness of peoples and states.

We want to replace continual vacillation with the firmness of government, which will thus give our people again an unshakeable authority.

We want to restore the primacy of a policy which is destined to organize and lead the nation's fight for life,

We want to rebuild a true community from the German tribes, from all the estates, from the professions and from the previously existing classes. It must be capable of bringing about that just balance of vital interests which the nation's future requires. Peasant, middle classes and workers must again make up a German people.

Toward the world however, we want to be — remembering the victims of the last war - sincere friends of a peace which will finally heal the wounds from which all suffer.

The government of the national rising is resolved to fulfil the task given it by the German people.

COPY

from Dokumente der deutschen Politik, Volume I Ri-Exhibit No. 1[illegible]

19. Adolf Hitler's Speech on his Programm at the Meeting of the Reichstag in the Kroll Opera House on 23 March 1933

Germany has now been waiting for years for the rest of the world to fulfill its promise to follow us in disarmament. It is the sincere wish of the national government to be able to dispense with an increase of the German Army and of our arms, to the extent that the rest of the world is finally willing to carry through its obligation for drastic disarmament. For Germany wants nothing but equal living rights and freedom. The national government will, however, educate the German people to this spirit of the disire for dreedom. The honor of the nation, the honor of our Army, the ideal of liberty, they must again be made sacred for the German people.

The German people want to live with the world. For this reason the government will intervene with all possible measures for the final remoualof a division into two categories of the peoples of this earth. The idea of victoriaus and conquered nations cannot be regardet as a lasting basis forfriendly relations between peoples. Keeping this wound constantly open leads one to suspicion, another to gatred and therefore to a general insecurity.

Still more comprehensive is the plan of the chief of the Italian government, which tries in a generous and farsighted manner to secure a peaceful and logical development to total European policys. Wa attach the greatest signeficance to this pln. We are ready to cooperate in full sincerity on this basis in the attempt to incorporate the four powers, Germany, Italy, England and France in peaceful political collaboration, to coüragcously and dicisively cobfront the problems, on which the problems, on which the fate of Europe depends.

As regards to our brother nation Austria we all habe a feeling of deepest interst in her needs and troubles. The government of the Reich in its actions in fully aware of the unity of fate of all German tribes.

The fight against Communism in Germany is our intermal affair, add we will never tolerate any interference fron abroad. Stat political relations to other powers, with which we have common interests, will not be affected by this.

A certisied true copy: s/ Dr. Martin "OR" Attorney at Law

H0785 - 0012

COPY

from "Dokumente der deutschen Politik" Vol. I No 17

39. Speech of Adolf HITLER in the German Reichstag on the National Socialist Peace Policy of 17 May 1933.

For all of the problems which are causing unrest today are founded on the defects of the peace treaty, which was unable to solve the most important and decisive questions of that period though fully, clearly and reasonably for all time. Neither the national nor the economic were solved by the treaty in a
nor even legal matters and demands of the nations/which manner would enable them to withstand the criticism of reason for all times. It is understandable, therefore, that the idea of a revision does not only belong to the permanent attendant phenomena of the consequences of this treaty, but that revision was foreseen as necessary even by its authors and therefore had its judical basis in the body of the treaty itself.

The political - national problems are the following:

Throughout many centuries the European states and the establishment of their borders proceeded from concepts which lay only within exclusively federal (staatlichen) thinking, With the victorious break-through of the nationalistic idea and the principle of nationalities during the past century the seeds for numerous conflicts were sown by the neglect to take these new ideas and ideals into consideration on the part of states created from other concepts. There could be no higher task for a real peace conference after the Great War than to undertake a new organization and new arrangement of the European states which to the greatest possible extent did justice to this principle. The more clearly ethnic borders corresponded to national borders through this adjustment, all the more would a large number of possibilities for future conflicts necessarily be eliminated, Yes, this territorial reorganization of Europe with consideration for actual ethnic borders would historically have been the solution, which, looking into the future, might perhaps have been able to make the blood sacrifice of the Great War appear to victors and vanquished as not wholly in vain, because it would have given the world the foundations for a real peace. But actually they decided, partly out of ignorance, partly out of passion and hatred, on solutions which

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eternally carry the seeds for new conflicts in their lack of logic and their injustice.

The problem of the restoration of a general international sense of justice has been no less misunderstood through the Treaty of Versailles; for in order to provide a motive for all the measures of this edict, Germany had to be stamped as responsible for the World War against the holiest conviction of the German people and their governments. That was a procedure which, as an example for the future and applied to the past, teaches once and for all in the simplest way the cause of human conflicts and wars. The guilt lies with the vanquished, since the victor, thanks indeed to his victory, always has the possibility of choosing this statement as introduction to a peace treaty. For this reason this procedure has such terrible significance, because it simultaneously provided a basis for changing a relationship of power existing at the end of this war into a permanent legal norm. The concepts of victor and vanquished were thus formally made into the foundation for a new international legal and social order, the disqualification of a great people to a second-class and second-rate nation proclaimed in the very moment when a League of Nations was to be lifted from the baptismal fount.

This treatment of Germany could not lead to a pacification of the world in the future. The disarmament and rendering defenseless of the vanquished which was considered necessary in this connection, an action unprecedented in the history of European nations, was still less calculated to reduce the general dangers and matter for conflict, but rather only led to the condition of those eternal threats, demands and sanctions which as continual unrest and insecurity threaten to become the grave of the whole world economy.

Treaties which are made for bringing peace into the lives of nations have intrinsic meaning only if they proceed from a real and sincere equality of rights for all. Precisely herein lie the main causes for the ferment which has been ruling the world for years. But that the problems of today find a reasonable and final solution lies in the interest of all. No new European war would be able to bring anything

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at all better in place of the unsatisfactory conditions of today.

On the contrary, neither politically nor economically, could the use of any kind of violence in Europe produce a more favorable situation than exists today. Even with a decisive success of a new European solution by force, the final result would only be an increased distnrbance of the European balance of power and thus sow the seeds for new arguments and new entanglements. New wars, new sacrifices, new insecurity and a new economic crisis would be the result. But the outbreak of such madness wit out and would necessarily lead to a breakdown of the social and national order of today. A Europe sinking into a Communistic chaos would nonjure up a crisis in the development of the world of incalculable extent and inestimable duration.

It is the very serious desire of the national government of the German Reich to prevent such an unpeaceful development through its sincere and active cooperation. This also is the inner meaning of the revolution carried out in Germany.

This definition has its worst consequence in the forced defencelessness of part of the nations as compared to the increased armaments of others. If Germany has been unwaveringly demanding the disarmament of all for years, then this has been for the following reasons: first, the demand for an actually expressed equality of rights is a demand of morality, justice and reason, a demand that was recognized in the peac treaty itself and the fulfillment of which was indissolubly bound up with the demand for German disarmament as the upbeat of world disarmament. Secondly, on the contrary, the disqualification of a great people cannot be maintained eternally in the light of history, but has to come sometime to an end.

Nevertheless, Germany is ready at all times to assume further security obligations of an international kind if other nations are ready to do so for their part and if this would benefit Germany equally. Germany would be willing without further ado to liquidate her entire military establishment completely and to destroy the small remnant of weapons left her if the adjoining nations do exactly the same. But if the other states are not also willing to carry out the disarmament enjoined upon them in the Peace Treaty of Versailles, then Germany must at least remain

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firm in her demand for equal rights.

The German government sees a possible basis for the solution of this question in the English plan. It must, however, ask that it not be forced to destroy any existing defensive installations without being granted at least a qualitative parity.

In this connection Germany declares herself to be essentially in agreement with accepting a/transitional period of five years for the restoration of her national security, in the expectation that after this period the actual equalization of Germany with the other states will result.

A certified true copy:

s/ Dr. Martin HORN

t/ Dr. Martin HORN

Attorney at Law

Ri-Exhibit No. 18

42
45

Co py

from "Dokumente der deutschen Politik"
Volume I

41. Treaty of Understanding and Cooperation (Four-Power Pact)
of 15 July 1933

The German Reichspraesident, the President of the French Republic, his Majesty the King of Great Britain, Ireland and the British Overseas Dominions, Emperor of India, and his Majesty the King of ITALY,

knowing the great responsibility bestowed on them by the fact of their constant representation in the League of Nations Council at the League of Nations itself and their members, and that which is the result of their joint signing of the LOCARNO Pact;

with the conviction that the state of uneasiness in which the world is resting can only be removed by strengthening their solidarity, which is suitable to strengthen the confidence in Europa towards peace;

applying with the agreement which they assumed according to the League of Nations, the Pact of LOCARNO, and the Briand-Kellog Pact and referring to the declaration of the non-application of force which was published in Geneva on 11 Dec 1932 by their plenipotentiaries at the disarmament conference as the basis of the agreement signed and which was accepted by the Political-Commission of this conference on 2 March 1933;

in the endeavour to give all rules of the statutes of the LEAGUE of NATIONS their full effect by considering the methods and proceedings which are provided therefor and which they do not want to violate;

under consideration of the rights of each State which cannot be disposed of without the presence of all concerned;

have agreed upon for this purpose to conclude a treaty and elected as their Plenipotentiary....., after having exchanged their authorities and having found them to be in good order

made the following rules:

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Article 1

The high contracting parties will notify each other as to all questions concerning them. They are obligated to make all efforts to put into effect within the frame of the League of Nation a policy of efficient cooperative work between all powers for the preservation of the peace.

Article 3.

The high contracting parties pledge themselves, to make all efforts to secure the success of the disarmament conference; they reserve the rights that in case of questions concerning them especially, which should have remained open at the end of the conference to take up their checking by using as a base this treaty, to make sure that they will be solved in a proper manner.

Article 5.

This treaty will be concluded for a duration of 10 years, counted from its starting date.

. . . . . .

Certified True Copy:

S/ Dr. Martin Horn
T/ Dr. Martin Horn
Attorney at Law.

H0785 – 0018

COPY

from Dokumente der deutschen Politik, Volume I Ri-Exhibi No. 19. 43

42. Telegram of the Reich Minister for Foreign Affairs von Neurath to the Chairman of the Disarmament Conference Henderson about Germany's resignation from the disarmament conference of 14 October 1933.

From the course which the last discussions between the participating powers have followed in the disarmament question, it is now finally determined that the disarmament conference will not fulfill its sole task, that of executing general disarmament. At the same time it can be seen that this failure of the disarmament conference originates solely from the lack of readiness of the well-armed States to fulfill their obligation according to treaty now. This has also made impossible the fulfillment of the recognized demands of Germany for equality, and the provision has disappeared under which the German government had found itself prepared to help in the beginning of this year in resuming the work of the conference.

Certified True Copy:

s/ Dr. Martin Horn

t/ Dr. Martin Horn

Attorney at Law

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COPY

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from Dokumente der deutschen Politik Volume I Ri-Exhib. No. 20.

45. Proclamation of the Reich Government to the German people of 14 October 1933 in connection with leaving the League of Nations.

The German Reich Government and the German People therefore stand united in the resolution, to leave the disarmament conference and to leave the League of Nations, until true equality is no longer withheld from our nation.

The German Reich Government and the German People therefore are determined to take upon themselves every need, every persecution, and every misery, rather than to sign treaties in the future which are unacceptable for all men of honor and for any honor-loving nation, which in their consequences, however, would lead only to making permanent the need and misery of the conditions of the Versailles Treaty, and thereby to the collapse of the civilized State structures.

The German Reich Government and the German People do not want to participate in any sort of armament race with other nations, but they only demand that measure of security, which will guarantee rest and freedom of peaceful work to the nation. The German Reich Government and the German People want to secure these just demands of the German nation by way of discussions and by treaties.

Certified true Copy:

s/ Dr. Martin Horn

t/ Dr. Martin Horn
Attorney at Law

H0785-0020

COPY

from Dokumente der deutschen Politik, Vol. I — Ri-Exhib. No. 21

46. Radio Broadcast of Adolf Hitler on 14 October 1933 about Germany's Leaving the League of Nations.

The former German governments trustingly joined the League of Nations once in the hope that a forum could be found within it for a fair equalization of national interests and sincere atonement, especially between those who used to oppose each other. However, the prerequisite for this was the recognizing of the final re-equality of the German people. Under the same prerequisite also her participation in the disarmament conference took place. The demotion to a member without equal privileges in such an institution or conference is an unbearable humiliation for an honor-loving nation of 65 million people and a no less honor-loving government!

The German people has fulfilled its disarmament obligations to the utmost. It would now be the turn of the rearmed states to fulfill their similar obligations to the same extent.

Since we have concluded from the declarations of the official representatives of a number of the Big Powers, that they do not a present consider a true equality of Germany, it is not possible for Germany at this time either, to further force herself on other nations in so unworthy a position.

The German Government is filled with the conviction to the utmost that their appeal to the whole German Nation of the world will prove that the love of peace in government is just like their conception of honor, longing for peace, and conception of honor of the whole people.

Certified True Copy:

s/ Dr. Martin Horn

t/ Dr. Martin Horn
Attorney at Law

H0785-0021

Ri - Exhibit No·22

Copy from "Dokumente der deutschen Politik" Volume I

47. Speech by Reich Foreign Minister von NEURATH to the foreign Press on the occasion of Germany's retirement from the League of Nations on 16 October 1933.

Last Saturday, it was made clear at Geneva that equality of rights is being denied to the German people in one of the most important questions for her existence, the question of national security, By that, the powers have destroyed the foundation on which alone an honest fruitful cooperation of the nations can be realized. They have by that taken from Germany the possibility of participating in the framework of the Geneva institution, in the discussions of present international problems. With a manifest desire for basic discrimination against Germany, they have violated the fundamental idea of the League of Nations, the have themselves proved that they do not set any value on honest and real cooperation with Germany. The German nation would defame itself and would not act honestly if for its part it were still to keep up an appearance of such a cooperation in spite of this state of affairs.

It is necessary, at such an important turning point in political development to remember that the demand for equality of rights by Germany was by no means first made during the disarmament conferences of this and the preceding year. Germany has been making this demand from the day her entry into the League of Nations came up for discussion for the first time. It already was in the centre of the diplomatic differences between Germany and the Council of the Powers of that time which, at the end of 1924, preceded Germany's entry into the League of Nations. In the first official declaration by the League of Nations Council to the German Government of December 1924, are the following words which speak for themselves without comment:

"The Council takes cognizance that the German Government, in consideration of the conditions, under which Germany desires to enter the League of Nation renounces every intention of demanding special favors for Germany, that it expects, however, that this entry will take place on the basis of equality.

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The Council confirms that the ten governments consulted, i.e. the Council of the Powers, are in complete agreement concerning this condition."

When, however, finally the decisive point in the negotiations was reached and the highly armed nations had to avow their intentions concerning disarmament, the significant change took place which found expression in the statement of the English Foreign Minister on Saturday.

The basis for this change came about in the Paris conferences between the French, English and American Governments. When, after these conferences, we again participated in the diplomatic discussions, we had to confirm with disappointment and astonishment that the basis of the conference negotiations, hitherto existing, did no longer exist. It turned out that the English plan was no longer recognized by its originators themselves, and that its fundamental change was wanted.

I confirm with satisfaction that during these last discussions serious efforts were not lacking on the part of the representatives of the United States and Italy, to mediate and bring about an easing of the tension.

All these efforts were in vain, however, because of the endeavours of other powers to create a united front against Germany, against which, it was hoped, nothing would be left to Germany but compliance and renounciation. This united front was not achieved. But it also was not possible to put the conferences back on the basis agreed upon previously. Just as our demand for equality was already previously taken as an excuse for discrediting us as peace - breakers in the disarmament conference, it is being tried again now. In face of that, I must point out with all firmness the purpose of the disarmament conference and the meaning of disarmament generally.

The aim is primarily the greatest possible reduction in the armament level of the world and a clear, establishment by treaty of this level. Secondly the aim is a balance of armaments between the nations already disarmed and those highly armed.

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During my last conversations with the English Foreign Minister, he asked me for a final statement as to whether Germany wished to adhere to the point of view given by me during the conversations. This was confirmed in the instructions to the German Embassy in London mentioned frequently in the past I consider it important to state the contents of these instructions of 6 October quite frankly.

We adhered to the English plan and to a duration of five years for the Convention, refused the idea of a period of probation and insisted that the realization of our equality of rights should begin not after some years, but at once.

These were the contents of my instructions to London of 6 October. Sir John SIMON has made the assertion that we went far beyond our previous demands by these instructions. During my personal conversations with him in Geneva, I was said to have been less presumptuous and to have shown more readiness to meet him halfway . That is not correct. I never have or could tell Sir John SIMON anything else than what stood in the instructions. For the standpoint of these instructions is shown with forceful logic from the principle of equality of rights and shows in addition only how moderate our behaviour is with respect to the concrete realization of this equality of rights.

The English Foreign Minister has, in his statement of Saturday, with the agreement of France and the United States, prescribed a new plan in place of the MAC-DONALD plan. What does this plan mean? According to it, the disarmament of the highly armed nations is to be postponed for four years, but binding agreement should by no means be made now for the later period, because it will be made dependent on the success of the control system. But this control is practically limited to Germany because the latter alone would be submitted to severe limitation of armaments during the coming years. Thus the other powers would be in a position at any time, to make use of the non - functioning of the control, or to suppose. German treaty violations, in order to circumvent their material disarmament obligations. Added to this is that the time after the four years, also the extent of the then possibly contemplated material disarmament, has been left in complete obscurity despite our frequent attempts at clarification.

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Ri - Exhibit No 22
(cont.)

Thus the standpoint of the powers amounts to this: to postpone their own disarmament ad calendas graecas, but, however, to refuse to Germany any equalization of armament.

With such a spirit prevailing, we had for a long time been afraid that the discussions at the conference would not lead to success. Inspite of that, we have waited to make our decision to the last possible moment. Our delegation in Geneva has endeavoured to the last hour to influence the other side and to induce them to assume a more understandable attitude. In so doing they were led to hope that Sir John SIMON's statement would show a more forgiving spirit. We have awaited for that speech, it has brought us nothing but another grievious disappointment. Our decision could now not be postponed any longer.

A certified true copy:

s/ Dr. Martin HORN

t/ Dr. Martin HORN

Attorney at Law.

H0785 — 0025

Ri-Exhib. No. 23.

Dokumente der Deutschen Politik Volume I

49. Proclamation of Reich President von Hindenburg at the Elections of 11 November 1933.

Tomorrow the whole German nation must testify that it is united in the sentiment of national honor, the demand for equal rights and at the same time for a true, real and lasting peace. Loudly and forcibly all Germans, united in one purpose, must manifest tomorrow, that Germany is never again to be treated as a second rate nation.

Certified True Copy:

s/ Dr. Martin Horn

t/ Dr. Martin Horn

Attorney at Law

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Ri-Exhib. No. 34.

from Dokumente der Deutschen Politik, Volume II

Ri-Exhib. No. 34.

50. Text of the election leaflet for the election of 12 November 1933.

Do you, German man and you, German woman, approve of this policy of your Reich Government and are you prepared to declare it to be the expression of your own views and your own will and to acknowledge it solemnly?

51. The official results of the election of 12 November 1933.

General election of 12 November:

Entitled to Vote	Votes Polled	%	Yes	%	No	%	Invalid
45 176 713	43 491 575	96.3	40 632 628	95	2 101 191	4.9	750 271

Reichstag Elections of 12 November:

Entitled to Vote	Votes Polled	%	NSDAP	%	Invalid	%
45 176 713	43 053 616	95.2	39 655 212	92.2	3 398 404	7.8

Certified True Copy:

S/ Dr. Martin Horn

t/ Dr. Martin Horn

Attorney at Law

H0785-0027

28. The German Memorandum to the Disarmament Question of 18 December 1933.

a) Germany is the only state which has actually fulfilled the Disarmament obligations laid down in the Versailles Treaty.

b) The highly armed states do not intend to disarm, or do not feel themselves in a position to do so.

c) Germany is entitled to demand equal rights by some means also with regard to her security.

The suggestion of the German Government is as follows:

1. Germany receives full equality of rights.
2. The highly armed states pledge each other to refrain from further increase of their present armament.
3. Germany agrees to this convention on the undertaking that of her own free will, she will only make such actual use of the equality given her, so that no offensive danger to any other European Power is implied.
4. All states acknowledge certain obligations of humane warfare and/or an avoidance of certain weapons of warfare in their application against the civilian population.
5. All states undertake an equal general control, which will examine and guarantee compliance with these obligations.
6. The European nations guarantee the absolute maintenance of peace by concluding non-aggression pacts, which are to be renewed after a period of ten years.

Now that the German Government has repeatedly with full candour set forth its views on the settlement of the disarmament question, a successful continuation of the discussions can only be hoped for if the other governments also make an unequivocal statement, as to their attitude with regard to the German Governments point of view and how they on their part intend to handle the problem in its concrete details.

Certified true Copy:

s/ Dr. H o r n

t/ Dr. H o r n

Attorney at Law

H0785 - 0028

Exhibit Ri. No. 26

Copy

from: Dokumente der deutschen Politik, Volume 2

29. The German Memorandum on Disarmament of 19 January 1934.

(Published 3 February)

The German Government have acknowledged with great interest the aide-memoire communicated to them by the French Ambassador in BERLIN on 1 January of this year. They welcome the fact that the French Government have taken up the suggestion of direct diplomatic negotiations between the two Governments concerning the problems pending between their countries, and that they have explicitly stated in the most important acute question, the disarmament question, what attitude they take toward the previous explanations of the German Government, and what points of view they themselves have to put forward for the further treatment of this question.

The German Government have examined the statements of the French aide-memoire regarding this with a complete lack of prejudice and from the decisive point of view as to whether any possibilities, and if so what, today exist according to it for the realization of the idea of general disarmament. They would like to communicate to the French Government the result of this examination in all frankness and clarity, because they believe that only in this way is it possible to avoid misunderstandings and to continue promoting the agreement desired by both sides.

If the German Government have understood this plan correctly, it could be represented in its essential parts as follows:

The French Government wants to divide the period for which the disarmament convention to be concluded will be in force into two phases. During the first phase, the duration of which is not exactly stated, but which in any case is supposed to comprise a period of several years, France would gradually decrease the personnel strength of her Army,

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In the second phase of the duration of the convention, which would be after several years, they would begin the progressive abolition of war materiel on land exceeding the stipulated limits of caliber and tonnage.

The French Government share the opinion that such a program would disclose the best intention to realize the idea of a general, substantial, and progressive disarmament, and to free the world from a heavy burden, in the interest of safeguarding the peace and of reconstructing the economy. In order to achieve clarity about this, it becomes necessary to picture concretely the situation which would be created, if a convention on the basis of the French plan should be made. What situation would it be ? In the important sphere of war materiel, disarmament would be postponed for several years. During this time, the highly armed nations would keep their entire heavy land materiel unreduced insofar, as it was considered primarily for aggressive purposes. The question is, if, on the other hand and from a standpoint of general security, it would be of any considerable weight if the highly armed nations should renounce the new production of heavy aggressive weapons during this period. Germany would for her part remain limited to the completely inadeguate kinds of weapons provided for in the Treaty of VERSAILLES, but during this period would also have to carry out the remodelling of her armed forces (Reichswehr).

But the settlement provided for in the aide-memoire for the second phase would also bring up another important question. Are the statements of the aide-memoire concerning control to be understood in the way that the entire regime of the second phase is to be made dependent on the experiences acquired during the first phase? If that should be the intention, the achievment of general disarmament would be burdened during the second phase also with a dangerous factor of insecurity. The control is supposed to be employed basically in the same way for all nations. But it is clear that the supposition of the parity of control would not exist any longer, if, because of the radical difference in the limitations of the

H0785-0030

armament, the control would as a practical matter affect the countries disarmed on the basis of the peace treaties in an entirely different way from the other countries. Since it had a much larger field of application in the countries already disarmed would it not here, even with the most loyal fulfillment of the treaty, be much more easily the cause of differences than in the other countries, differences which could be exploited to delay the regime of the second phase even longer? Even if this danger could be removed, the question remains decisive for Germany, whether her discrimination is to be prolonged for a still longer period of years.

Can the other powers adduce any sound argument for such a plan, inconsistent as it is with Germany's honor and safety? According to the firm conviction of the German Government this is completely out of the question.

II.

If one pictures the main points of the French plan and its consequences, as this has been done in the above explanations, serious doubts arise as to whether a settlement of the disarmament problem can be found in this way which would actually correspond to justice and would serve the safeguarding of peace. All things considered, the status of the problem still appears to the German Government today in the same light as a few months ago, when they saw themselves obliged to leave the League of Nations and the Disarmament Conference because of the complete failure of the Geneva methods and when they decided to make a new proposal.

The German Government still consider it to be the best solution, if all countries were to decrease their armaments in accordance with the disarmament provided for in the Treaty of VERSAILLES. In this way the question of granting equal rights to Germany would also find the simplest possible adjustment. In any case, there ist no measure, no matter how far-reaching, in the sphere of quantitative or qualitative disarmament which Germany would not be prepared to accept immediately, if it would also be carried out to the same extent by all other nations.

.....

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Exhibit Ri. No. 26
(cont'd)

Of course, the German Government share the opinion that the disarmament problem cannot be solved by negotiations between Germany and France only, but that negotiations with all nations concerned are necessary for it. However, these general negotiations will be made considerably easier by an agreement between Germany and France, since such an agreement represents one of the most important prerequisites for the realization of the disarmament convention.

That Germany is prepared for international cooperation, and in what spirit she is prepared to cooperate, can be seen from her offer for the conclusion of non-aggression pacts. The outward form in which such cooperation can best be realized in the future, appears to the German Government as a question to be reserved for a later answer. The urgent demand of the moment is the adjustment of the disarmament question , the success of which will open the way for the solution of the other open political problems.

A certiefied true Copy :
A true certified copy

s/Dr. HORN

t/Dr. HORN

Attorney at Law.

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Copy Ri.Exh.No. 27.

from: Documents of German Policy, Volume 2 (Dokumente der deutschen Politik, Band 2)

32. The German Memorandum of 13 March 1934.

The German Government does not intend at this time to delay any longer the answer to the Aide-Memoire of 14 February. It has gained the impression that the statements of the French Government have been influenced in various points by misunderstandings about the previous German declarations. It appears important to it to clear up these misunderstandings in order to prevent the further discussion of the disarmament problem from being influenced by them.....

In any case, however, the German Governnment and the French Government face the fact that the Royal Italian Government and the Royal British Government have stepped forward several weeks ago with their important suggestions about the formulation of the disarmament convention. The suggestions of both governments are moving broadly in the same direction and might have contributed considerably toward the clarification of the situation. They therefore have been welcomed by the German Government. Naturally, important points of these suggestions will yet have to be discussed. However, the German Government believes it is already able to state at this time, that they are suitable for facilitating and hastening the understanding between it and the French Government.

Certified True Copy:

s/ Dr. H O R N

t/ Dr. H O R N

Attorney at Law

H0785-0033

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Ri. Exhibit No. 28

COPY

from: (Dokumente der Deutschen Politik) Volume 2

33. Aide - Memoire of the German Reich Government of 16 April 1934 to the English Disarmament Memorandum

The German government is ready to accept the memorandum of the United Kingdom of 29 January 1934 as basis for a convention, however, with the reservation of certain important changes.

All other proposals made in the memorandum of the United Kingdom, insofar as they are not affected by these changes, as for example concerning the control, will be accepted by the German government. The German government will also in the future recognize the Locarno pact. It rests on the standpoint that the return of Germany into the League of Nations can only be discussed after the solution of the disarmament question and above all after granting her an equality of rights.

A certified true copy:

s/ Dr. Martin HORN

t/ Dr. Martin HORN

Attorney at Law

H0785-0034

Ri.Exhibit No. 29

Copy

from: Dokumente der Deutschen Politik, Volume 2

34/ Speech of the Reich Minister Baron von Neurath to representatives of the Press in Berlin of 27 April 193-.

We hold fast to the proposals and concessions, as we have last made them. All assertions that we not only concerned ourselves with the preparation of defensive armament, but also prepared for armament with offensive weapons, are most decisively refuted by me as being in the realm of fable. It is no longer up to us, however, to make our proposals and concessions the contents of a treaty, but rather for the other powers.

Our standpoint, however, is founded too firmly in a legal, moral and political sense for us to have to face the future development of affairs with any kind of fear. Fortunately, the German government does not stand alone in its conviction that every attempt to keep a country like Germany in the position of a power with lesser rights and lower rank, is nonsense, and, even if this were to be done, it would result in damage, if not disaster for all othe The English and Italian governments have for a long time made known their ide as to the solution to be aimed at, an idea which coincides in its basic princ les with our own. The neutral powers as well have recently recommended with emphasis the need for the early conclusion of a disarmament convention which does justice to the principle of equal rights. Thus we can expect that the laws of reason and justice, which are so clearly apparent in this case, will finally obtain recognition.

The Reich Cabinet (Reichsregierung) not only announced its unconditional desire for peace in its political program, but has also proven it by its actions. The settlement of the relations with Poland, brought about by it, its adherence to the Locarno pact, its readiness to conclude the most extens. non-aggression pacts with all neighbor nations and its receptive attitude toward all concrete proposals hitherto made to it in the field of the security question, offer irrefutable proof as to the path we want to follow in the

H0785-0035

interests of our country. The time of ultimatums, dictates and the one-sided agreements against Germany is completely over. But the preservation of German vital interests as we have understood them and made them our tasks, are in full harmony with the interests of Europe. Only a Germany, insured against attacks, can fulfil this peacetime function which is hers in Central Europe. A defenseless Reich must, according to all the laws of history, lead finally to struggles for power and to the ruin of the continent.

May the other governments utilize the great opportunity which is offered them by the Reich Cabinet under its strong and secure leadership! Our hand will still be extended even farther for an understanding, and I repeat that which I have already stated so often: It is only for other governments to make the decision to grasp this hand.

Certified True Copy
s/ Dr. Martin HORN
t/ Dr. Martin HORN
Attorney-at-Law.

H0785-0036

Ri. Exhibit No. 30

C o p y

from: Dokumente der Deutschen Politik,

Volume 2.

39. Communique of the German Reich Cabinet (Reichsregierung) of 10 September 1934 about its position in reference to the Eastern Pact.

On 8 July, the French Foreign Minister Louis BARTHOU and the English Secretary of State for Foreign Affairs Sir John SIMON agreed to certain proposals for a so-called European security system which became known as the Eastern Pact Plan. (The original proposal for the Eastern Pact by the French government of 27 June 1934 was published in an English White Book: Cmd. 5143. Correspondence showing the course of certain diplomatic discussions directed towards securing an European settlement, 8.7). It is concernel with a pact of guarantee and support of the five Eastern powers (Czechoslovakia, Poland, the Balkan States, Russia, and Germany), which contemplates a mutual guarantee about the inviolability of the frontiers, and further a pact among France, Germany, and the Soviet Union, who would come to each others aid against the "aggressor".

It is not easy for us to maintain the belief in the case of such a project that its authors did really not have anything else in mind than an assurance of peace on a footing of equality, benefiting all states. We cannot help ourselves from the expression as if this project rather originated from special political tendencies. If the assumption repeatedly reported from abroad is correct that France and Russia would decide on a two-sided alliance in case of failure of their pact plan, then that would confirm that impression.

Certiefied True Copy

s/ Dr. Martin HORN

t/ Dr. Martin HORN

Attorney at Law.

H0785 - 0037

Ri Exhibit No. 31

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COPY

from: Dokumente der deutschen Politik, Volume 3 (Pages 53-54)

9. Reply of the Reich Cabinet (Reichsregierung) of 14 February 1935 to the London Communique. *)

..... The German government welcomes the spirit of frank discussions between the individual governments as it has been expressed in the communiques of His British Majesty's government and the French government. It will subject the entire group of European questions, which have been presented to it, mentioned in the first part of the London communique, to thorough examination..... It is convinced that only the spirit of free discussion between sovereign states expressed in the British - French communique, can lead to lasting international settlements in the field of armaments.

The German government welcomes the proposal to increase safety from sudden attacks from the air by a convention, to be concluded as soon as possible, which contemplates the immediate use of the air forces of the signatories in favor of the victims of an unprovoked air attack.

It is ready as a matter of fundamental principle to use its airforces as a means of discouraging disturbers of the peace. It is, therefore, disposed to find ways and means as soon as possible in free discussions with the governments concerned, in which such a convention could be realized which guarantees the security of all signatories to the greatest possible extent.

.....The German government would welcome it - as in the previous France - British conferences - if first His British Majesty's government as that participant in the London discussions which at the same time is a guarantor of LOCARNO, would be prepared to enter into an immediate exchange of views with the German government also.

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*) Footnote:

On 3 February 1935, the so-called London Communique was issued by the French and English statesmen who had met in London. In it the attempt was made to reopen the negotiations about the armament convention and the general European settlement. The suggestion to strengthen the Locarno pact by a convention of the participating powers about the support of the

attacked by the combined airpower of the other powers, was emphasized especially in the suggestion of the London Communique.

A certified true copy:

s/ Dr. Martin HORN

t/ Dr. Martin HORN

Attorney at Law

H0785 - 0039

Ri. Exhibit No. 33

C O P Y

from: Dokumente der Deutschen Politik, Vol. 3 (p.61)

12. Proclamation of the Reich Government regarding the reinstatement of universal conscription.

Extract.

.....

In these circumstances the German Government felt obliged to take of their own initiative those measures which were necessary to ensure the termination of a condition of impotent defencelessness of a great people and country which was as undignified as it was in the last resort menacing

In so doing they were actuated by the same considerations as those which were so truthfully expressed by Mr. Baldwin in his last speech: "A country which shows itself unwilling to make what necessary preparations are requisite for its own defence will never have force, moral or material, in this world."

The Government of present-day Germany, however, only desire one single moral and material power; that is the power to be able to safeguard the peace for the Reich and thereby also for the whole of Europe.

.....

The German Government consider it in these circumstances an impossibility to defer any longer the measures necessary for the security of the Reich, or indeed, to conceal them from the knowledge of the rest of the world.

In now complying therefore with the wish expressed in the speech of the British Minister Mr. Baldwin on the 28th November, 1934, for a clarification of the German intentions, they do so in order -

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Ri.Exhibit No.33

(1) To convince the German people and to inform the other States that the protection of the honour and security of the German Reich will henceforth once more be entrusted to the German nation!s own strength;

(2) But, by defining the scope of the German measures, to refute those assertions which attempt to attribute to the German people the attempt to attain a position of military hegemony in Europe.

What the German Government, as protector of the honour and the interests of the German nation, desire is to ensure that degree of armed force which is necessary not only for the maintenance of the integrity of the German Reich, but also for the international respect and esteem of Germany as a co-guarantor of the general peace.

For in this hour the German Government renew before the German people and before the whole world the assurance of their determination never to go beyond the protection of German honour and the freedom of the Reich, and in particular of their desire not to create in the German national armaments an instrument of war like aggression, but rather one exclusively of defence and thereby of the maintenance of peace.

Certified True Copy

s/ Dr. MARTIN HORN
t/ Dr. MARTIN HORN
Attorney at Law.

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Ri-Exhibit No. 34

COPY

from Dokumente der Deutschen Politik Volume 3 (Pages 66 - 68)

15. Communique of the German Reich Cabinet (Reichsregierung) of 14 April 1935 on Germany's attitude to the Eastern Pact. *)

I.

During the Berlin discussions, the Fuehrer and Reich Chancellor has informed the British delegation that to his regret the German government are not in a position to declare their participation in the Eastern Pact in its proposed form. The German Reich Cabinet (Reichsregierung) however, were ready on the other hand to agree to such a collective security pact, if it

1. is based on mutual and general non-aggression obligations and procedure through courts of arbitration,
2. would contemplate a consultative procedure in case of a disturbance of the peace.
3. the German Reich Cabinet (Reichsregierung) were ready - emphasizing the difficulties of establishing an aggressor beyond doubt, - to join in general measures for not supporting such.

The German Reich Cabinet (Reichsregierung) still adheres to this offer today.

II.

The Fuehrer and Chancellor has reported further in this discussion that the German government is not in the positon to agree to a proposal for a pact which, whether it is for all or only for individuals, contains more or less automatic military obligations of assistance. The latter would see in this not an element threatening the peace. The German Reich Cabinet (Reichsregierung) today acknowledges this interpretation and the attitude resulting from it.

III.

..... The German Reich Cabinet (Reichsregierung) sees now as before in this development of military alliances in Europe no element for a collective peaceful development, or even a guarantee of peace. It is, therefore, also not in the position to sign pacts in which such obligations are an integral

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part, whether for all or for individual participants.

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*) Footnote

..... SIMON in a telegram of 11 April from Stresa charged the English Ambassador in Berlin with finding out whether the Reich Cabinet (Reichsregierung) would participate in a general non-aggression pact if individual participants should agree among themselves on obligations of assistance - not agreed to by Germany. Then the communique intended for publication in the German press on 14 April was handed to the English ambassador on 12 April.

A certified true copy:

s/ Dr. Martin HORN

t/ Dr. Martin HORN

Attorney at Law

H0785 - 0043

Ri.Exhibit No. 35

'Pt 63

COPY

from "Dokumente der deutschen Politik" Volume 3 (page 68)

16. Protest of the German Cabinet (Reichsregierung) on 20. April 1935 against the Decision of the Council of the League of Nations on 17th April 1935 concerning the Reintroduction of German Conscription.

*)

The Cabinet opposes the right of the governments, who accepted the decision of 17th. April in the Council of the League of Nations to set themselves up as judges over Germany. The Cabinet sees in the decision of the Council of the League of Nations the attempt at a new discrimination against Germany and rejects it with the utmost determination. It reserves to itself the right to publish shortly its attitude towards the individual questions affected by the Council's decision.

****

Footnote

*) ..... that Germany, " has repudiated the duties incumbent upon all members of the international community to respect the obligations which they have incurred."........

A certified true copy:

s/ Dr. HORN

s/ Dr. MARTIN HORN

Attorney at Law

H0785 – 0044

Ri. Exhibit No.36

COPY

from Dokumente der deutschen Politik Volume 3 (Page 109-111)

18. German Memorandum to the Locarno Powers of 25 March 1935 concerning Incompatibility of the Soviet Pact with the Locarno Treaty.

The German government has received information concerning the treaty between France and the Union of Socialist Soviet Republics, signed on 2 May of this year. According to Figure 4 of the protocol of the signing procedure of this treaty, the obligations of the two contracting partners agreed to therein, especially the obligation of mutual assistance, refer exclusively to the case of one of them becoming involved in war-like conflict with Germany. The German government is thereby forced to concern itself with the question whether the new treaty is in harmony with the obligations undertaken by one or the other of the two contracting partners in previous treaties with Germany. The first to come into consideration is the treaty, agreed on in Locarno on 16 October 1925 between Germany, Belgium, France, Great Britain and Italy, the so-called Rhine Pact of Locarno.

The Rhine Pact binds Germany and France in no case to have recourse to attack or invasion or war against each other. The exceptions to this obligation are laid down exhaustively in Article 2, paragraph 2 of the pact. Apart from the case of self-defense, which can be left out of consideration here, these exceptions say that the renunciation agreed upon by Germany and France, of attack, invasion and war shall not apply when it is the question

a) of an action on the basis of Article 16 of the Statute of t League of Nations,

b) of an action which takes place on the basis of a decision of the Assembly of Council of the League of Nations or on the basis of Article 15 paragraph 7 of the Statute of the Leagu of Nations, on condition that the action is directed in this case against a state which first had recourse to attack.

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At first glance, the new Franco-Soviet treaty appears to be in conformity with the exceptions mentioned above under a) and b) in the regulations which affect the mutual obligation of the two partners for assistance against Germany. It provides for the obligation of assistance in its Article 2 for the case of Article 15, paragraph 7 of the League of Nations Statute, and its Article 3 for the case of Article 16 of the League of Nations Statute. Added to these two cases are also the cases of Article 17, paragraph 1 and 3 of the League of Nations Statute, not mentioned in the Rhine Pact of Locarno, which for its part prescribes the application of Article 16 against a state not belonging to the League of Nations.

These regulations of the new treaty, referring to Articles 16 and 17 of the League of Nations Statute are the ones which now demand the special attention of the powers participating in the Rhine Pact of Locarno. It puts the serious question to all these powers whether the treaty obligations into which France has entered with the USSR remain within the limits established by the Rhine Pact of Locarno. According to the opinion of the German government, the supplementary agreements, which the two parties to the treaty have made in Figure 1 of the protocol of the signing procedure, are of the most decisive importance for the answering of this question. It says under this figure:

"It is understood that the purpose of Article 3 is to oblige each contracting party to give immediate assistance to the other and to comply immediately with the recommendations of the Council of the League of Nations as soon as they have been announced, by virtue of Article 16 of the Statutes. It is equally understood that the two contracting parties shall act together in order to procure an announcement by the Council of their recommendations with all the speed demanded by the circumstances, and if, however, the Council for one reason or another does not announce any recommendations, or if it does not attain an unanimous vote, the obligation of assistance will nevertheless be applied.

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Ri. Exhibit No.36
(cont.)

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The formulation of this regulation shows that the two contracting partners will refer first of all to the League of Nations Council before taking any action which they wish to be supported by Article 16 of the League of Nations Statute, that they are resolved however, also to fulfil the obligation af assistance agreed on , even if for some reason or another no recommendation of the Council is made in this sense, or no decision reached by the Council at all. This cannot be understood otherwise than that France claims for herself the freedom in case of a conflict between Germany and the USSR to take military measures against Germany on the basis of Article 16 of the League of Nations Statute even if she cannot thereby refer to anyrecommendation or any other decision of the League of Nations Council. Apparently this is to apply after the secession of Germany from the League of Nations even if it did not come to an invitation being made to Germany, to be decided on according to Article 17, paragraph 1 of the Statute of the League of Nations. According to the opinion of the German government, a military action instigated under such circumstances would stand outside Article 16 of the League of Nations Statute, and consequently would represent a flagrant violation of the Rhine Pact of Locarno.

The great importance of this point of the French - Soviet agreements is apparant. The treaty certainly states that the obligation assistance shall only apply in the case of an unprovoked attack by Germany.This case will never happen as Germany does not intend to take aggressive action against the USSR. The question, however is not settled by that. For the decisive fact is that in the case of a German - Soviet conflict, according to the regulations mentioned in the protocoll of the signing procedure, France demands for herself the authority to decided according to her own free judgement who is the aggressor and to take military measures against Germany on the basis of that decision.

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Ri. Exhibit No.36
(cont.)

The above mentioned doubts are not even removed by the general stipulation of Figure 2 of the French - Soviet protocol of the signing procedure which establishes that the treaty does not contradict any treaties previously concluded by France or the USSR with third powers, and that it would not be applied if one of the two partners made himself liable to international sanctions on the basis of previously assumed treaty obligations. This general stipulation does not change anything in the statement under Figure 1 of the protocol which, as previously described, states the opposite for a concrete case, namely the application of the Rhine Pact of Locarno.

The Rhine Pact of Locarno is for the relations between the Western European powers of such fundamental importance that the slightest doubt or the least uncertainty about the interpretation of its regulations must be prevented. For this reason the German government has considered it essential to inform the other signatory powers of the above deliberations. It hopes come to an agreement with all signatory powers that the regulations of the Rhine Pact of Locarno shall not be changed legally in their interpretation by any of its partners through a treaty with a third state.

A Certified True Copy

s/ Dr. Martin HORN

t/ Dr. Martin HORN

Attorny at Law

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16

COPY

from Dokumente der Deutschen Politik, Volume 3 (Pages 110, 111)

18. German Memorandum to the Locarno Powers of 25 May 1935 concerning the incompatibility of the Soviet Pact with the Locarno treaty, *)

*) Footnote

Figure 4 of the protocol says:

"Both governments establish that the negotiations which have led to the signing of this treaty were originally undertaken in order to bring about a security agreement which was to include the states of North-Eastern Europe, namely the USSR, Germany, Czechoslovakia, Poland and the Baltic states adjoining the USSR; besides this agreement a treaty of assistance was to be concluded between the USSR, France and Germany in which each of these three states was to undertake to grant assistance whichever one of them might be the object of an attack on the part of one these three states.

Although the circumstances, which both parties regard as desirable for the future, have not permitted the conclusion of this agreement until now, the obligations contained in the French - Soviet Russian treaty of assistance are nevertheless still so to be understood that they are only to be applied within the limits contemplated in the previously planned Three-Power-Pact."

Certified True Copy

s/ Dr. Martin HORN

t/ Dr. Martin HORN

Attorney at Law

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Ri. Exhibit No. 37

C o p y

from: Dokumente der deutschen Politik. Volume 3 (P. 69/100)

17a. Speech of the Fuehrer in the German Reichstag about the German Policy of Peace on 21 May 1933.

.....

The peace shall not be a peace of one-sided privileges, but rather a peace of general equality and thereby one of general rights. It shall be a peace of reconciliation, one of the disarmament of allaand thereby the security of all. The supreme expression of this was the idea of international collec ve collaboration of all States and Nati ns in the League of Nations. ..... When the Versailles Peace Treaty was dictated to the German people in 1919, the death sentence was thereby pronounced for the collective collaboration of the nations for the time being, because in the place of the equality of all the classification of victors and vanquished now stood; in the place of equal rights the difference of the privileged and the unprivileged now stood; in the place of rec nciliation of all the p nishment of the c nquered now came; instead of internati nal disarmament the disarmament of the vanquished now came ; in the place of the security of all the security of the victors now stepped.

Despite all this, h wever, it was expressly stated in the Versailles Peace Treaty (Friedensdiktat) that the disarmament on the part of Germany should only be the prerequisite for enabling the disarmament of the others. And now it can be determined from this one example, to what extent the idea of collective collaboration was violated by just those who today are testifying the loudest in its behalf.

.....

Now, at least after the completion of this German disarmament, the world in its part should have taken the same step for the establishment of equality. It is only proof for the truth of this opinion, that it has not lacked in warning and predicting voices amongst the other peoples and in the other States, which intervened on behalf of the fulfillment of this

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obligation. I only want to name several of the men, who surely cannot be pronounced as friends of the present Germany, in order to use their statements to count those, who in somekind of amnesia do not want to remember anymore, that the Peac Treaty did not contain the treaty obligation of disarmament for Germany only, bu also for the remaining States.

Lord Robert Cecil, member of the British delegation to the Paris Peace Conference and Leader of the British delegation to the Disarmament Conference (Revue de Paris 1924 No. 5): "The armament provisions of the Versailles Treaty and those of the other peace treaties start with a preamble which in essence set forth as follows: "In order to make possible the introduction of a general limitation in armament of all nations, Germany obligates herself to comply closely with the follwwing regulations about the land army, sea power, and aviation." This preamble contains an agreement. It is a sincere promise of the governments to the democracies of all the States which have signed the peace treaties. If it is not kept, then the system established by the peace treaties cannot be of lasting duration, and even the partial disarmament will have ceased to exist wit a short time."

Paul Boncour on 8 April 1927 in the third session of the Preparatory Disarmament Commission of the League of Nations: "It is correct, that the preamble to part V of the Versailles Treaty deals with the limitations of armament, which were levied on Germany as the prerequisite and precedent of a general limitation of armaments. This even differentiates very closely the armament limitations of Germany from other similar armament limitations, which have been levied in the course of history after terminations of wars, and which in any case usually proved themselves generally as rather ineffective. This time this provision - and that is where it obtains its full value" - has not been levied only on one signe of the treaty, but it has rather, become an obligation, a moral and legal obligation for the other signers to commence with the general limitation of armaments

Declaration by Henderson on 20 January 1931: "We must convince our Parliaments and peoples that all members of the League of Nations are forced into thi policy of general disarmament by sincere obligations, which are levied upon us international law as well as by our national honor."

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Shall I remind the Council of the fact, that Article 8 of the text of the preamble of Part V of the Versailles Treaty, the final files of the Locarno Conference and the resolutions adopted every year since 1920 by the assembly state that all members of the League bear an equal amount of responsibility in this field? All of us have taken obligations upon ourselves, and if we do not fulfil them our peaceful intentions will become subject to doubt. The influence and the reputation of the League of Nations will suffer under it."

Declaration of Briand of 20 January 1931: "In the name of my country I agree with the sincere words with which our President has opened the session..... I believe - just like you - I have had the opportunity of saying it frequently -, that the obligations which the nations have entered into by treaty by signing Article 8 of the League of Nations Constitution (Voelkerbundssatzung) must not be allowed to remain a dead formula. They represent a holy agreement, and a country denying them would dishonor itself."

Statement by the Belgian Minister for Foreign Affairs Vandervelde, Member of the Belgian Peace Delegation, on 27 February 1927: "From now on we are confronted by the following dilemma: Either the other powers must demobilize their armies in relationship to the German Reichswehr, or the peace treaty will become obsolete, and Germany will demand the right for herself to maintain armed forces able to defend the inviolability of he territory. Out of these facts two final conclusions can be drawn: first, that all control measures are of little effect, and furthermore that the disarmament will either be general or else will not exist at all."

The same Minister for Foreign Affairs on 29 December 1930 in "Populaire": "The Versailles Treaty would be turned into a shred of paper, if the moral and legal obligations of the treaty are not fulfilled, which forced disarmament on vanquished Germany in order to prepare the disarmament of the others."

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Lord Robert Cecil in his radio broadcast on 31 December 1930: "The international disarmament is part of our vital national interests. We have accepted the obligation not only once, but several occasions to decrease and limit the armament of the nations who were victorious in the World War, as addition to the disarmament, with which we obligated our former opponents. We will destroy all confidence in internationl obligations if we do not fulfil what we have promised. In this respect it is of secondary importance in my opinion, that we would not be able to give an answer in this matter, if our former opponents were to approach us with the demand to be able to rearm.

And once more Paul BONCOUR on 25 April 1930 in the "Journal": "Finally it has become unnecessary to be a prophet. It is sufficient to keep one's eyes open to discover that in the case of a final failure of the disarmament discussions, or even in the case of its permanent adjournment, Germany which has become free of other obligations will attempt to shake off this disarmament and not to tolerate alone anymore limitation of armament which the Versailles Treaty itself has described as a condition, but also as a promise of a general limitation of armamen We do not have a choice anymore."

....

The time had come, it was appropriate, only the will was lacking. ..... If one believes he can subscribe apprehensions at that time favourably in view of the non-disarmament which was a violation of the treaty, then it will, however, be doubtlessly more difficult for him to state reasons which have led to an increasingly larger armament! This is decisive: Not only have these other States refrained from disarming, but to the contrary they have perfected their armaments to the utmost, impro them, and thereby increased them.

At this time I would like to mention only briefly the reproaches and protests directed against the reestablishment of the German armed forces (Wehrmacht). It has been stated, that Germany in the first place is not being threatened by anybody, and that therefore in the second plac it is incomprehensible why Germany should rearm at all.

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Ri. Exhibit No. 37
(cont.)

It would be appropriate to insert the counter-question here as to why the other side, which in any case should feel itself less threatened by the disarmed Germany than vice versa did not stop armaments on its part and refrained from finally disarming? However, if the claim is put forward, that Germany is presenting a threat to the other States because of her rearmament, then at least the armament of the other States was a much greater threat to the disarmed, defenseless Germany. I believe th in this case there can only be either - or. If war armaments are a threa to peace, then this is the case with all States. Or, if war armaments are not a threat to peace, then this applies to all States also. It is not appropriate that a group of States should consider their armament as an olive branch of peace while representing the armament of the others as a work of the devil.

.....

It also appears inappropriate to me to misuse the thesis of the indivisibility of peace as excuse for constuctions, which would serve collective security to a lesser degree than rather purposely or unintentionally the collective preparation for war. The World War should present a loud warning in this respect. I do not believe that Europe will endure a similar catastrophe for the second time without being subjected to the most horrible concussion. However, it can take place more easily, the more the possibility of a localization of smaller conflict becomes more distant through the net of international criss-cross obligations, and the danger of intervention by numerous States and groups of States becomes greater.

.....What we want is freedom and independence. Because of these intentions we were prepared to conclude non - aggression pacts with all our neighboring States.

.....We are prepared to extend to every European State which borders us a non - aggression and exclusion of force treaty, and to increase their feeling of security, which will in any case be to our advantage also, as well as to the other side.

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In any case we see a development in the conclusion of alliance - pacts which have reached our knowledge, which does not vary in any respect from the formation of the former military alliances. We regret this especially in view of the fact, because the military alliance which has been concluded between France and Russia has without any doubt carri an element of legal insecurity into the only clear and really valuable reciprocal security treaty in Europe, namely the Locarno Treaty.

.....

No less impossible than the taking over of unlimited obligations o assistance appears to us the signing of non — intervention pacts, as long as this subject is not defined to the closest possible extent.

.....

The German Reich Cabinet disapproves the Geneva Resolution of 17 April. Not Germany alone has one - handedly violated the Versailles Treaty, but the Versailles Treaty (Diktat von Versailles) was one - sidedly violated in the well - known points, and thereby rescinded by those powers which could not resolve themselves to execute their own disarmament perscribed by treaty, after having demanded Germany's disarmament. This new discrimination which Germany was being subjected to in Geneva by this resolution made it impossible for the German Reich Cabinet to return to this institution, until the provisions for a really equal legal situation for all participants was established. For this purpose the German Reich Cabinet considers it necessary to call for a clear division between the Treaty of Versailles which is constructed on the difference in nations between victors and vanquished, and the League of Nations which must be constructed on the basis of equal evaluation and equal rights of all its members.

This equality of rights must apply to all functions and all ownership rights in international life.

In view of the non - fulfillment of the disarmament obligations by other States, the German Reich Cabinet on its part has renounced the arti which as the result of the one -- sided burdening of Germany in violation the treaty represent a discrimination against the German nation for an unlimited period of time.....

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The German Reich Cabinet is prepared at any time to participate in a system of collective collaboration for securing European peace; however, it considers it necessary then to meet halfway the law of eternal continuous evolution by keeping open revisions of treaties.....

The German Reich Cabinet is fundamentally prepared to conclude non - aggression pacts with its individual neighbor - States, and to complete these through regulations which will aim at an isolation of the bell gerent and a localization of the war area.....

The German Reich Cabinet is prepared to participate actively in all efforts which lead to practical limitations of unbounded armaments. It sees the only possible way at present in a return to the ideas of the former Geneva Convention of the Red Cross.....

It is the opinion of the German Reich Cabinet that all attempts to reach a more effective decrease of certain tensions between individual States through international agreements or agreements between several States will have to meet with failure, as long as a poisoning of the public opinion by irresponsible elements in word and writing, films and theaters is not successfully countered by appropriate measures.

The German Reich Cabinet is prepared to agree to an international agreement at any time, which will stop and make impossible in an effective manner all attempts of intervention into the affairs of a State from the outside. However, it must demand that such a settlement becomes effective internationally, and becomes of advantage to all States. Since the danger exists that in countries with governments which are not supported by the general confidence of the people, inner uprisings are only too easily thought by interested sides to have been caused by intervention from the outside, it appears necessary, to subject the word "intervention" to an exact international definition.

.....No matter how great the worries individually may be, with my sense of responsibility as Leader of the Nation and Chancellor of the Reich, I consider itincompatible to pronounce only a doubt about the possibility

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Ri. Exhibit No. 37
(cont.)

of maintaining peace. The nations want it. It must be possible for the governments to maintain it. I believe that the reestablishment of the German armed forces (Wehrmacht) will become an element of this peace. Not that we intend to increase it to a senseless size, but because the simple factor of its existence will terminate a dangerous vacuum in Europe.....

I cannot conclude today's speech any better, my fellow - fighters and trustees of the nation, than by repeating our pledge for peace. The form of our new constitution gives us the possibility to stop the work of the war - mongers in Germany. May the other nations also be successful in lending a brave expression to the true striving within them!

Certified True Copy

s/ Dr. Martin HORN

t/ Dr. Martin HORN

Attorney at Law

H0785-0057

Ri.Exhibit No. 38

COPY

from "Dokumente der deutschen Politik", Volume 3 (Page 120)

20. The Anglo-German Naval Agreement of 18 June 1935.

Excellency ! I have the honor to acknowledge the receipt of your Excellency's letter of today, in which you had the kindness to inform me, in the name of the Government of His Majesty in the United Kingdom, about the following :

The representatives of the Government of the German Reich and the Government of His Majesty in the United Kingdom have held discussions during the last few days, the principal aim of which consisted in preparing the ground for a general conference for the limitation of naval armaments . I am glad to inform. your Excellency that the proposals of the Government of the German Reich, which have been discussed during these conferences and according to which the relationship of the future strength of the German Navy to the total, naval strength of the members of the British Commonwealth should be 35 : 100, have been accepted by the Government of His Majesty in the United Kingdom. The Government of His Majesty in the United Kingdom considers this proposal as an extraordinarily important contribution to the future limitation of naval armament.

They believe furthermore that the agreement which they reached with the Government of the German Reich, and which they consider as a lasting and valid one as of today and as a final accord between the two Governments, will facilitate the conclusion of a future General agreement, concerning a limitation of naval armaments between all the sea powers of the world . . . . . .

I have the honor, to confirm, your Excellency, that the proposal of the Government of the German Reich is correctly restated in the above letter, and I take cognizance of the fact that the Government of His Majesty in the United Kingdom, and which they consider as a valid lasting and final accord between the two governments, will facilitate the conclusion of a general agreement concerning these question between all the sea powers of the world . .

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With the expression of my highest esteem for your Excellency

signed: von Ribbentrop

Certified true copy:

signed: DR. MARTIN HORN
Attorney at Law.

H0785-0059

Ri. Exhibit Nr. 39

Copy

from: Documents on German Politics Vol.IV

No. 9: Memorandum of the German Government to the signatory powers of the Locarno Pact of the 7th of March 1936

Paragraph 1 und 2

Paragraph 3 p. 123.

1.) There is no denying the fact that the French - Soviet agreement is directed exclusively against Germany.

2.) There is no denying the fact, that by it, in case of a conflict between Germany and Soviet Russia, France would enter into committments exceeding by far those set by the League of Nations statutes. These committments would force Fance to take military steps against Germany even them if France can not refer to a recommendation or decision submitted by the League of Nations Council.

3.) There is no denying the fact, that in such an event, France would take upon herself the right to decide according to her own judgement who the aggressor is.

4.) This shows that France has taken over responsibilities regarding the Soviet Union that practically amount to France's acting should the occasion arise as if neither the League of Nations statutes nor the Rhine Pact, referring to these statutes were in force.

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If France now makes use of the abstract wording of the possibilities allowed by the Rhine pact in order to make a new pact with a highly armed country against Germany and if thus, in so decisive a manner, moreover limits the import of the "renunciation of war" (Kriegsverzicht) agreed upon with Germany and if, in doing so, as shown above, does not even keep to the fixed formal and legal limits, France will thus have created an entirely new situation and will have destroyed the political system of the Rhine pact, not only insofar as its meaning is concerned, but also in fact.

. . . . . .

Regarding such a development of European polities the German Government cannot remain inactive, if it does not want the German people's interest, with which it has been charged and with which it has been entrusted, to ruin or to be given up entirely.

During the negotiations of the last few years the German Government has emphasized that it is willing to keep and to fulfill all responsibilities incident to the pact so long as the other partners to the pact are realy on their part to stand by the pact. This self-understood presupposition can now no longer be considered as being fulfilled on the part of France. France, violating the Rhine pact has answered the friendly offers and peaceful assurances repeatedly made by Germany, by forming a military alliance with Soviet Russia exclusively aimed at Germany. Thus the Rhine pact of Locarno has lost its inner meaning and has ceased to exist in any practical sense. Therefore Germany no longer considers herself bound to this expired pact.

. . . . . .

In the interest of the primitive rights of a people to secure its borders and to uphold its possibilities of defense, the German Government has therefore on the present day, reinstated the full and unrestricted sovereignty of the German Reich in the demilitarized zone of the Rhineland. But, in order to show the German Government's desire, that will always be the same, for a real pacification of Europe between

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states with equal rights, the German Government declares itself willing to enter into new agreements for the erection of a system of European peace - security, on the basis of the following proposals:

1.) The German Government is willing to enter into immediate negotiations with France and Belgium concerning the forming of a mutual demilitarized zone and is prepared to agree to such a proposal to any extent and effect whatsever, on the basis of complete equality.

2.) For the purpose of securing the sanctity and inviolability of the western frontiers the German Government proposes to enter into a non-aggression pact with France and Belgium, and is prepared to fix its duration at 25 years.

3.) The German Government wants to invite England and Italy to sign the agreement as signatory powers.

4.) In case the Royal Netherlands Government desires, and the other partners of the agreement consider it right proper the German Government agrees to include the Netherlands in this "system of agreement."

5.) For the further strengthening of this security agreement the German Government is prepared to conclude an air-pact with the Western Powers, suited to form an automatic and effective preventive measure against the danger of sudden air attacks.

6.) The German Government herewith repeats its offer to conclude non-aggression pacts similar to the one with Poland with the countries bordering Germany in the East, as, in recent months, the Lithuanian Government has taken a certain corrective attitude concerning the Memel Territory, the German Government retracts the exception concerning Lithuania it once had to make, and declares itself prepared, (provided there is an effective building-up of the guaranteed autonomy of the Memeldistrict) to sign such a pact of non-aggression with Lithuania also.

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7.) After thus having finally achieved equality of rights for Germany and after having again fought complete sovereignty over the entire German Reich, the German Government considers the main reason for having left the League of Nations at the time when it did, as no longer existent. Germany is no longer prepared to re-enter the League of Nations. Germany expects that, in a proper course of time and by way of friendly negotiations, the question of colonial equality, as well as the question of the separation of the League of Nations Status from its Versaille foundation, will be settled.

Copy certified by:

(Dr. Horn, attorney-at-law)

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Ri Exhibit Nr. 40

C o p y

From: Documents of German Politics Vol. IV

Nr. 14

Protest of Ambassador von Ribbentrop before the League of Nations Council of March 19, 1936 at London against the condemmation of the German measures of March 7, 1936.

Page 146 As a point of sincere inner conviction, the German Government must reject the resolution just now decided upon and is obliged to file formal protest. It is not Germany, but France that has caused the Locarno Pact to become void through the Franco-Russion Pact. The German step of March 7, the re-establishment of complete sovereignty in its own territory this most primitive right of a people to defend its own borders - was exclusively the result of this French action. This morning I gave a comprehensive presentation of the German legal and political viewpoint and I believe that if the honorable members of the council had had more time to consider this presentation, they would doubtlessly have reached a different decision.

The German Government, and with it the entire German nation, are of the solemn opinion that the decision of the council now adopted will not be able to stand up before the judgement of history

[illegible] certified by :

(signature)

(Dr. Horn, lawyer)

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COPY

from: Dokumente der dentsche Publik, Volume 4, pages 147, 152, 153, 154.

No. 16 Peace plan of the German Cabinet of 31 March 1936.

With sincere agreement, the German Government has heard from Ambassador Ribbentrop that it is the desire of the British Government and the British people to begin as soon as possible with the practical work of bringing a true peace to Europe. This wish meets with the innermost intentions and hopes of the German people and their leaders.

The German Government believes that the total task confronting the European statesmen would have to be divided into three phases:

a). Into the period of gradually calming down the atmosphere for the clarification of the procedure for the negotiations to be initiated.

b). Into the phase of the negotiations proper for securing the European peace.

c). Into a later period for the treatment of those supplements desirable for the work of European peace, which neither can nor should be precisely established or limited in advance, either as to content or extent (disarmament and economic questions, etc.).

For this purpose the German government now proposes the following peace plan:

1. In order to give future agreements for securing the European peace the character of sacred treaties, the nations concerned participate only as completely equal and equally respected members. The only compulsion for the signing of these treaties can lie only in the visible and generally recognized expedience of these agreements for European peace and therefore for the social happiness and economic well-being of the nations.

2. In order to shorten the period of uncertainty as much as possible in the interest of the economic life of the European nations, the

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German government proposes to limit the first phase, up to the signing of the non-aggression pacts and therewith the guaranteed assurance of European peace, to 4 months.

3. The German government guarantees, under the presupposition of essentially similar behavior by the Belgian and French governments, not to undertake for this period of time any reinforcement of the troops located in the Rhineland.

4. The German government guarantees that during this period of time it will not move troops located in the Rhineland any nearer to the Belgian and French borders.

5. For guaranteeing these mutual assurances, the German government proposes the formation of a commission composed of representatives of the two guaranteeing powers, England and Italy, and a disinterested neutral third power.

6. Germany, Belgium and France are entitled to send one representative each to this commission. Germany, Belgium and France have the right, if and when within this period of four months they believe they can point out from certain occurrences a change in the military situation, to report their observations to the guarantor commission.

7. Germany, Belgium and France declare themselves prepared in such a case to permit this commission to make the necessary inquiries through the English and Italian military attaches and report thereon to the participating powers.

8. Germany, Belgium and France guarantee that they will consider objections resulting therefrom to the fullest possible extent.

9. For therest, the German government is prepared, on the basis of complete reciprocity with its two western neighbors, to agree to any military limitation on the German western border.

10. Germany, Belgium and France and the two guaranteeing powers agree that they will enter immediately, or at the latest after the French elections, into conferences under the leadership of the British government, concerning the conclusion of a 25 year non-aggression, or security, pact

...

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pact between France and Belgium on one side and Germany on the other.

11. Germany is agreed that in this security pact, England and Italy shall again sign as guaranteeing powers.

12. If special obligations of military assistance result from these security agreements, Germany declares herself prepared to assume such obligations also for her part.

13. The German government herewith repeats its proposal for the conclusion of an air agreement as supplement and reinforcement of these security agreements.

14. The German Government repeats that it is prepared, in case the Netherlands so desire, to include this nation also in this West European security agreement.

15. In order to give the work of this peace guarantee, which has been freely entered into by Germany on one side and France on the other, the character of a conciliatory conclusion to a centuries-old estrangement, Germany and France bind themselves to see that in the education of the youth of both nations as well as in public publications everything shall be avoided which as a derogatory, contemptuous, or unseemly interference in the internal affairs of the other party, might be apt to poison the attitude of both nations toward each other. They agree to form a joint commission at the seat of the Leggue of Nations in Geneva which is to be charged with presenting incoming complaints to the two governments for information and investigation.

16. Germany and France bind themselves, in pursuance of the intention to give this agreement the character of a sacred pact, to have the ratification carried out by a vote of the two peoples themselves.

17. Germany declares herself prepared, for her part, to communicate with the nations on her southeastern and northeastern borders, in order to invite the latter immediately to join in the conclusion of the non-aggression pact which she has offered.

18. Germany declares herself prepared to re-enter the League of Nations, immediately or after conclusion of these agreements. The German

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government repeats its expectation that in the course of a suitable length of time, and by way of friendly negotiations, the question of colonial equality as well as the question of the separation of the charter of the League of Nations from its Versailles' basis will be clarified.

19. Germany proposes to form an international court of arbitration which will be competent for the maintenance of this treaty and whose decisions will be binding on all.

After the conclusion of such a great work for the guaranteeing of European peace, the German Cabinet considers it urgently necessary to make attempts by practical measures to impose a halt to an unlimited armament race. It would see in this not only an alleviation of the financial and economic situation of the nations but also above all a psychological relief.

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Certified true copy:

by

/s/ Dr. Horn

Dr. Horn
Attorney at Law

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Ri Exhibit Nr. 43

C o p y

taken from: Documents of German Politics Vol. V

Nr. 2

Speech of the Fuehrer and Reich Chancellor of January 30, 1937, the fourth anniversary of the National Socialist revolution, before the German Reichstag in the Kroll Opera House in Berlin.

Page 40

Para.3. Today I have only a few declarations to make.

First . . The re-establishment of German equal rights was a procedure exclusively affecting and concerning Germany herself. We have taken nothing away from any people nor have we therewith harmed any people.

Second . . . .

Third I herewith declare that thus that part of the Treaty of Versailles has found its natural settlement which part took equaltity away from our people and degraded them to the status of an inferior nation,

p. 52 It has been shown, that it is always expedient for European questions to be settled within the scope and extent possible. Germany is happy to have established a close and friendly relationship with Italy. May we succeed in preparing the way for relationships in a similar way with other European nations With its strong army, Germany will guard its security and honor. Filled with the conviction that there can be no higher good for Europe than peace, Germany will always bear these her responsibilities, fully aware

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and conscious of this European ideal of peace.

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Copy certified by :

(Dr. Horn, attorney-at-law)

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Ri Exhibit Nr. 44

C o p y

from Documents on German Politics, Vol. V

Nr. 37 German Note on Belgian inviola bility of 13 Oct. 1937

p.198 Par. 1 . . . . .

Par. 2 - The German Government took notice with particular interest of the public declaration issued by the Belgian Government for the clarification of Belgium's international position.-

Par. 3 . . . . .

Par. 4 - The German Government on the other hand took notice of the declaration of the Royal British and French Governments of 24 April 1937.

Taking into consideration that the conclusion of a formal treaty to replace the Pact of Locarno would still require considerable time and striving to strengthten the peaceful relations between both countries, the German Government finds it opportune ly to define clearly its stand in regard to Belgium at this time

With this in view, it issues the following declaration:

I. The German Government has taken notice of the interpretation, given by the Belgian Government on the basis of its own sovereignty, namely:

a) That it considers pursuing an independent policy in full sovereignty

b) That it is determined to defend Belgium's frontiers with all its forces against any attack and any invasion;

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to prevent any use of Belgian territory as a through country, (Durchmarschland) or army, navy or air base for attacking another country and with that purpose in mind is determined to organize Belgium's defense efficiently.

II. The German Government asserts that the inviolability and territorial integrety of Belgium are of common interest to the Western Powers. It confirms its determination not to impair that inviolability and integrety under any circumstances and to respect the Belgian territory at all times, excepting of course the case of Belgium collaborating in an armed attack directed against Germany in which Germany would be involved. .

v. Neurath

Copy certified by :

Dr. Horn, Attorney at Law

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